## REMARKS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 2-5 and 7-14 are pending, Claims 6 and 15 having been canceled without prejudice or disclaimer and Claims 2, 4, 5, 7, 10, 11, and 13 having been amended by way of the present amendment. No new matter is added.

In the Advisory Action of November 13, 2007, the Advisory Action indicates that with regard to Wong at least Claim 15 is anticipated by Wong. The Advisory Action indicates that Nishiyama (U.S. Patent No. 7,085,564) is not prior art with regard to the presently pending claims.

In the outstanding Office Action of July 17, 2007, Claims 2-3, 5, 6, and 10-15 were rejected as being unpatentable over Wong in view of Nishiyama; Claims 4 and 7-9 were rejected as being unpatentable over Wong in view of Nishiyama and in further view of Korpela et al. (U.S. Patent Publication No. 2001/0031638, hereinafter "Korpela").

In reply, Claim 15 has been canceled without prejudice or disclaimer. As previously noted in the Advisory Action, Nishiyama is not valid prior art with regard to the present patent application. Thus the remaining issue is how the asserted prior art compares with each of the pending claims as amended.

Claim 4 has been amended to include the subject matter of Claim 15. As recognized in the outstanding Office Action, Wong fails to disclose counting means for counting the number of reselections between cells of different cell classes; changing means for changing the relation between the cell types in the cell classes . . . . The outstanding Office Action relies on Korpela and its description of making cell reselection to N different cells and having a UE (10) initiate a detection/measurement procedure for larger neighboring cells.

Comparing amended Claim 4 to Korpela, amended Claim 4 is directed to a controller that changes the relation between the cell types and the cell classes in the memory to another when the number of reselections counted by the counter exceeds a predetermined value. Claim 4 also requires the counter that counts the number of reselections between cells of different cell classes.

In contrast, Korpela describes cells (e.g., macro cells) having a larger layer number to be reselected when the UE 10 travels above some speed threshold and makes cell reselection to N different cells on the same hierarchical layer. Thus, when the number of reselections between the cells of the same cell types exceeds a predetermined value, the UE 10 reselects a cell of a different cell type from the past. Thus, in Korpela the user equipment 10 reselects a cell of a different cell type when the number of reselections between cells of a same cell type exceeds a predetermined value. This is different than claimed, as the claimed counter is configured to count the number of reselections between cells of different cell classes and then the controller changes the relation between cell types and cell classes when the number of reselections exceeds a predetermined value. Thus it is respectfully submitted that Wong in view of Korpela does not disclose all of the features of amended Claim 4 and therefore Claim 4 patentably defines over the asserted prior art. Because Claims 2-3 and 10 depend from amended Claim 4 it is respectfully submitted that these claims also patentably define over Wong in view of Korpela.

Claim 5 has been amended to include the original features of Claim 4, as presented in the Amendment filed April 4, 2007. Therefore, it is also believed that Claim 5 as amended patentably defines over Wong in view of Korpela. Likewise, now canceled Claim 6 has been incorporated into Claim 7 and is believed to patentably define over Wong in view of Korpela for the same reasons discussed above as regard to Claim 4. Because Claims 8-10 depend

from Claim 7, these dependent claims are also believed to patentably define over the asserted prior art.

Likewise, since Claim 11 has been amended to include the subject matter of Claim 4 as presented in the Amendment of April 4, 2007, Claims 11 and 12 are believed to patentably define over the asserted prior art. Similarly, as the subject matter of Claim 7 has been included into Claim 13, Claims 13 and 14 are believed to patentably define over the asserted prior art.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 2-5 and 7-14, as amended, is patentably distinguishing over the prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

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